

Clermont, Hamilton and Warren) ozone nonattainment areas have attained the National Ambient Air Quality Standard (NAAQS) for ozone. In the Final Rules Section of this **Federal Register**, USEPA is making these determinations without prior proposal because USEPA views this as noncontroversial and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse or critical comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If USEPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The USEPA will institute a second comment period on this action only if warranted by revisions to the rulemaking based on comments received. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments on this action must be received by July 31, 1995.

**ADDRESSES:** Written comments must be mailed to: William L. MacDowell, Chief, Regulation Development Section, Air Enforcement Branch (AE-17J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

A copy of the air quality data and USEPA's analysis are available for inspection at the following address: Regulation Development Section, Air Enforcement Branch (AE-17J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Richard Schleyer, Environmental Engineer, Regulation Development Section, Air Enforcement Branch (AE-17J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-5089.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final rule published in the Final Rules section of this **Federal Register**.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: June 14, 1995.

**David A. Kee,**

*Acting Regional Administrator.*

[FR Doc. 95-15960 Filed 6-28-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 52

[UT20-3-6773b; FRL-5212-5]

#### Approval and Promulgation of Air Quality Implementation Plans; Utah; 1990 Base Year Carbon Monoxide Emission Inventories for Utah

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing approval of the 1990 base year carbon monoxide (CO) emission inventories for Ogden City, Salt Lake City, and Utah County (which includes Provo-Orem) that were submitted by the State to satisfy certain requirements of the Clean Air Act (CAA), as amended in 1990. In the Final Rules Section of this **Federal Register**, EPA is approving the State's State Implementation Plan (SIP) revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments on this proposed rule must be received in writing by July 31, 1995.

**ADDRESSES:** Written comments should be addressed to: Douglas M. Skie, Chief, Air Programs Branch (8ART-AP), United States Environmental Protection Agency, Region 8, 999 18th Street, Suite 500, Denver, Colorado 80202-2466.

Copies of the documents relevant to this action are available for public inspection between 8 a.m. and 4 p.m., Monday through Friday at the following office: United States Environmental Protection Agency, Region 8, Air Programs Branch, 999 18th Street, Suite 500, Denver, Colorado 80202-2466.

**FOR FURTHER INFORMATION CONTACT:** Tim Russ, Air Programs Branch (8ART-AP), United States Environmental Protection Agency, Region 8, 999 18th Street, Suite 500, Denver, Colorado 80202-2466, (303) 293-1814.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

Dated: May 17, 1995.

**Robert L. Duprey,**

*Acting Regional Administrator.*

[FR Doc. 95-16066 Filed 6-28-95; 8:45 am]

BILLING CODE 6560-50-P

#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Parts 22, 90, and 94

[WT Docket No. 95-70; RM-8200, FCC 95-204]

#### Routine Use of Signal Boosters

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission has released a Notice of Proposed Rule Making that proposes to permit routine use of signal boosters by licensees without separate authorization from the Commission. This action was initiated by a petition from TX RX Systems, Inc. and is necessary to enable licensees to use signal boosters without obtaining a waiver of the rules, thus reducing the workload burden on both the applicant and the Commission.

**DATES:** Comments must be submitted on or before July 21, 1995, and reply comments on or before August 8, 1995.

**ADDRESSES:** Federal Communications Commission, 1919 M Street N.W., Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Eugene Thomson, Private Wireless Division, Wireless Telecommunications Bureau, (202) 418-0634.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making (Notice), in the Matter of Amendment of Parts 22, 90, and 94 of the Commission's Rules to Permit Routine Use of Signal Boosters, WT Docket No. 95-70, FCC 95-204, adopted May 17, 1995, and released June 22, 1995. The full text of the Notice is available for inspection and copying during normal business hours in the FCC Reference Center, Room 239, 1919 M Street N.W. Washington, D.C. The complete text may be purchased from the Commission's copy contractor, ITS Inc. 2100 M St. N.W., Washington, D.C. 20037, telephone (202) 857-3800.

#### Summary of Notice of Proposed Rule Making

1. This proceeding was initiated by a petition for rule making filed by TX RX Systems Inc. requesting that Parts 22, 90, and 94 of the Rules and Regulations be amended to permit licensees to routinely use one-way or two-way signal

boosters without specific authorization from the Commission.

2. Currently, under Part 90 Private Land Mobile Radio Services Rules, signal boosters may be used only on ten Business Radio Service frequency pairs in the 450–470 MHz band for communications related to the servicing and supplying of aircraft at certain specified airports. Under Part 22 Public Mobile Service rules, a form of signal booster, generally called a cellular repeater, may be employed by cellular licensees without separate licensing provided that the repeater does not extend the licensee's signal beyond the authorized cellular service area.

3. The Notice proposes to expand the use of signal boosters to Part 22 common carrier paging operations at 931–932 MHz, to Part 90 land mobile radio operations in all Part 90 frequency bands above 150 MHz, to Part 90 paging operations at 929–930 MHz, and to Part 94 multiple address system operations in the 928–960 MHz band.

4. Additionally, the Notice proposes to define and classify signal boosters as narrowband (Class A) or broadband (Class B), limit booster transmitter output power to 500 milliwatts, permit licensees to use signal boosters without separate authorization, and make licensees responsible for correcting any interference caused by the use of signal boosters.

#### Ex-Parte

5. This is a non-restricted notice and comment rule making proceeding. See Section 1.1231 of the Commission's Rules, 47 CFR 1.1231, for rules governing permissible *ex parte* contacts.

#### Initial Regulatory Flexibility Analysis

6. We certify that the Regulatory Flexibility Act of 1980 does not apply to this rule making proceeding because if the proposed rule amendments are promulgated, there will not be a significant economic impact on a substantial number of small business entities, as defined by Section 601(3) of the Regulatory Flexibility Act.

#### Paperwork Reduction

7. The proposals contained herein have been analyzed with respect to the Paperwork Reduction Act of 1980 and found to contain no new or modified form, information collection and/or recordkeeping, labeling, disclosure or record retention requirements, and will not increase burden hours imposed upon the public.

#### List of Subjects in 47 CFR Parts 22, 90, 94

Communications equipment, Radio.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

#### Amendatory Text

Parts 22, 90, and 94 of chapter I of title 47 of the Code of Federal Regulations are proposed to be amended as follows:

#### PART 22—PUBLIC MOBILE SERVICE

1. The authority citation for part 22 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, unless otherwise noted.

2. Section 22.99 is amended by adding the definition for "signal booster" in alphabetical order to read as follows:

##### § 22.99 Definitions.

\* \* \* \* \*

**Signal booster.** A stationary device that automatically reradiates signals from base transmitters without channel translation, for the purpose of providing service in weak signal areas.

\* \* \* \* \*

3. Section 22.377 is amended by revising the first sentence of the introductory text to read as follows:

##### § 22.377 Type-acceptance of transmitters.

Except as provided in paragraph (b) of this section, transmitters used in the Public Mobile Services, including those used with signal boosters, in-building radiation systems and cellular repeaters must be type-accepted for use in the radio services regulated under this part.

\* \* \* \* \*

4. A new § 22.385 is added to read as follows:

##### § 22.385 Signal boosters.

Licensees may install and operate signal boosters without applying for authorization or notifying the Commission, subject to the requirements of this section.

(a) The location of each signal booster must be within the protected service area of the licensee's authorized base transmitter(s) on the channel being reradiated.

(b) Any signal booster used must be designed such that transmitter output power cannot exceed 500 milliwatts under any normal operating condition.

(c) Licensees must not allow any signal booster that they install and operate to cause interference to the service or operation of any other authorized stations and systems.

#### PART 90—PRIVATE LAND MOBILE RADIO SERVICES

1. The authority citation for part 90 continues to read as follows:

**Authority:** Section 4, 303, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, and 332, unless otherwise noted.

2. Section 90.7 is amended by revising the definition for "signal booster" to read as follows:

##### § 90.7 Definitions.

\* \* \* \* \*

**Signal booster.** A device which automatically receives, amplifies, and retransmits on a one-way or two-way basis, the signals received from base, fixed, mobile, and portable stations, with no change in frequency or authorize bandwidth. A signal booster may be either narrowband (Class A), in which case the booster amplifies only those discrete frequencies intended to be retransmitted, or broadband (Class B), in which case all signals within the passband of the signal booster filter are amplified.

\* \* \* \* \*

3. Section 90.75 is amended by revising the introductory text of (c)(25) and paragraphs (c)(25)(i) through (iii), removing paragraphs (c)(25)(iv), (v), (vi), and (vii), and redesignating paragraph (c)(25)(viii) as (c)(25)(iv), to read as follows:

##### § 90.75 Business radio service.

\* \* \* \* \*

(c) \* \* \*

(25) This frequency is available for assignment as follows:

(i) To persons furnishing commercial air transportation service or, pursuant to § 90.179, to an entity furnishing radio communications service to persons so engaged, for stations located on or near the airports listed in paragraph (c)(25)(iv) of this section. Stations will be authorized on a primary basis and may be used only in connection with the servicing and supplying of aircraft.

(ii) To stations in the Business Radio Service for secondary use at locations 80 km (50 mi) or more from the coordinates of the listed airports at a maximum ERP of 300 watts.

(iii) To stations in the Business Radio Service for secondary use at locations 16 km (10 mi) or more from the coordinates of the listed airports at a maximum transmitter output power of 2 watts. Use of the frequency is restricted to the confines of an industrial complex or manufacturing yard area. Stations licensed prior to April 17, 1986 may continue to operate with facilities authorized as of that date.

\* \* \* \* \*

4. A new § 90.219 is added to read as follows:

**§ 90.219 Use of signal boosters.**

Licensees authorized to operate radio systems in the frequency bands above 150 MHz may employ signal boosters in accordance with the following criteria:

(a) The amplified signal is retransmitted only on the exact frequency(ies) of the originating base, fixed, mobile, or portable station(s). The booster will fill in only weak signal areas and cannot extend the system's signal coverage area.

(b) The booster must be equipped with automatic gain control circuitry which will limit the total output power of the unit to a maximum of 500 milliwatts under all conditions. Per channel output power on broadband (Class B) units is the total output power (500 mw) divided by the number of channels amplified. All equipment must meet the out-of-band emission limits of § 90.209.

(c) Boosters must be installed with sufficient isolation between receiving and retransmitting circuits to prevent oscillation.

(d) The licensee is given authority to operate signal boosters without separate authorization from the Commission. Type-accepted equipment must be employed and the licensee must ensure that all applicable rule requirements are met.

(e) Licensees employing Class B signal boosters as defined in § 90.7 are responsible for correcting any harmful interference that the equipment may cause to other systems.

**PART 94—PRIVATE OPERATIONAL-FIXED MICROWAVE SERVICE**

1. The authority citation for part 94 continues to read as follows:

**Authority:** Secs. 4, 303, 48 Stat., as amended, 1066, 1082: 47 U.S.C. 154, 303, unless otherwise noted.

2. Section 94.3 is amended by adding the definition for "signal booster" in alphabetical order to read as follows:

**§ 94.3 Definitions.**

\* \* \* \* \*

**Signal booster.** A device which automatically receives, amplifies, and retransmits on a one-way or two-way basis, the signals received from base, fixed, mobile, and portable stations, with no change in frequency or authorized bandwidth. A signal booster may be either narrowband (Class A), in which case the booster amplifies only those discrete frequencies intended to be retransmitted, or broadband (Class B), in which case all signals within the

passband of the signal booster filter are amplified.

\* \* \* \* \*

3. Section 94.95 is added to read as follows:

**§ 94.95 Use of signal boosters.**

Licensees authorized to operate multiple address systems in the 928–929/952–960 MHz and 932–932.5/941–941.5 MHz bands may employ signal boosters in accordance with the following criteria:

(a) The amplified signal is retransmitted only on the exact frequency of the originating master or remote station. The booster will fill in only weak signal areas and cannot extend the system's signal coverage area.

(b) The booster must be equipped with automatic gain control circuitry which will limit the total output of the booster to 500 milliwatts under all conditions. Boosters must meet the out-of-band emission limits of § 94.71.

(c) Boosters will be installed with sufficient isolation between receiving and retransmitting circuits to prevent oscillation.

(d) The licensee is given authority to use signal boosters without separate authorization from the Commission. Type-accepted equipment must be employed and the licensee must ensure that all applicable rule requirements are met.

(e) Licensees employing Class B signal boosters as defined in § 94.3 are responsible for correcting any harmful interference that the signal booster may cause to other systems.

[FR Doc. 95–15673 Filed 6–28–95; 8:45 am]

BILLING CODE 6712–01–M

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 17**

**Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition to List the Queen Charlotte Goshawk as Endangered**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of 12-month petition finding.

**SUMMARY:** The Fish and Wildlife Service (Service) announces a 12-month finding for a petition to list the Queen Charlotte goshawk (*Accipiter gentilis laingi*) under the Endangered Species Act, as amended. After a review of all available scientific information the Service find

that listing this species is not warranted at this time.

**DATES:** The finding announced in this document was made on May 19, 1995.

**ADDRESSES:** Data, information, comments, or questions concerning this petition should be submitted to the U.S. Fish and Wildlife Service, 3000 Vintage Blvd., Suite 201, Juneau, Alaska 99801. The petition finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** John Lindell, Endangered Species Biologist, Ecological Services (see **ADDRESSES** section) (907/586–7240).

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 4(b)(3)(B) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that the Service make a finding within 12 months of the date of the receipt of a valid petition on whether the petitioned action is (a) not warranted, (b) warranted, or (c) warranted but precluded from immediate proposal by other pending proposals of higher priority.

On November 21, 1991, the Service published in the **Federal Register** (56 FR 58804) a notice of review for an updated list of animal taxa that are being reviewed for possible addition to the List of Endangered and Threatened Wildlife. Among the species included as Category 2 candidates was the northern goshawk (*Accipiter gentilis*). By inclusion as a subspecies, the Queen Charlotte goshawk was also designated a Category 2 species at that time.

On May 9, 1994, the Service received a petition dated May 2, 1994, from the Southwest Center for Biological Diversity, the Greater Gila Biodiversity Project, the Biodiversity Legal Foundation, Greater Ecosystem Alliance, Save the West, Save America's Forests, Native Forest Network, Native Forest Council, Eric Holle, and Don Muller to list the Queen Charlotte goshawk (*Accipiter gentilis laingi*) as endangered pursuant to the Endangered Species Act. On August 26, 1994, (59 FR 44124) the Service announced a 90-day finding that the petition presented substantial information indicating that the requested action may be warranted and opened a comment period until November 25, 1994. On January 4, 1995, (60 FR 425) the Service extended the comment period until February 9, 1995. On February 24, 1995 (60 FR 10344) the Service extended the comment period until February 28, 1995.